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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

09/894,293

Filing Date

June 27, 2001

First Named Inventor

Wouter E. Roorda

Group Art Unit

1762

Examiner Name

Jennifer Kolb Michener

Attorney Docket Number

50623.41

### ENCLOSURES (check all that apply)

☒ Deposit Account 07-1850  
Authorization

☒ Postage Paid Return Postcard

☐ Amendment / Response ( pages)

☐ Amendment Transmittal Letter (in  
duplicate)

☐ Affidavits/declaration(s)

☒ Petition for Extension of Time (4  
months) (in duplicate)

☐ Information Disclosure Statement  
(in duplicate) with Form PTO-1449  
and References

☒ Express Mail Label No. EV 337 975  
573 US

☒ Express Withdrawal Of Appeal (2  
pages)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s) In/Formal \_\_\_\_ Sheets with  
Submission of Drawings Transmittal

☐ Issue Fee Transmittal with PTO-85b  
(in duplicate)

☐ Request for Continued Examination  
Transmittal (RCE)

☒ Fee Transmittal Form (in duplicate)

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Request for Status of Application

☐ Other Enclosure(s)  
(please identify below):

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Squire, Sanders & Demsey L.L.P.  
Charles E. Runyan, Jr. Ph.D., Reg. No. 43,066

Signature

Date

December 23, 2004

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: December 23, 2004

Typed or printed name

Patricia Gamble

Signature

Patricia Gamble

Date

December 23, 2004



Express Mail No. EV 337 975 573 US

12-27-04

PATENT

Attorney Docket No.: 50623.00041

AF/1762  
ZMW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wouter E. Roorda et al. Serial No.: 09/894,293 Filed: 27 June 2001 Title: Methods of Coating an Implantable Device	Examiner: Jennifer Kolb Michener Art Unit: 1762
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS WITHDRAWAL OF APPEAL**

Applicant requests that the Appeal Noticed by the Notice of Appeal mailed on June 21, 2004 be withdrawn. This Notice was received by the Patent Office on June 24, 2004 and therefore the period to supply Applicant's brief expired on August 24, 2004. Applicant hereby requests a 4-month extension of time to supply that document, a petition for which is attached. Applicant notes that upon receiving the 4-month extension of time, the deadline for supplying Applicant's brief will expire on December 24, 2004.

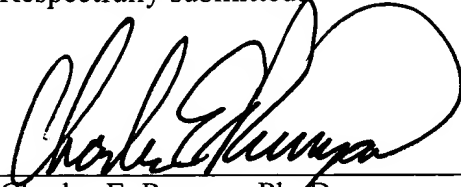
Filed concurrently with this request is a Continuation-in-Part application.

Express Mail No.

PATENT  
Attorney Docket No.: 50623.00041

If I can be of any help, please contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles E. Runyan", written over a horizontal line.

Date: December 23, 2004

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Squire, Sanders & Dempsey L.L.P.  
One Maritime Plaza  
Suite 300  
San Francisco, CA 94111  
Facsimile (415) 393-9887  
Telephone (415) 954-0235  
crunyan@ssd.com

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Charles E. Runyan, Ph.D.  
Attorney for Applicants  
Reg. No. 43,066



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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1590.00

Complete if Known

Application Number	09/894,293
Filing Date	June 27, 2001
First Named Inventor	Wouter E. Roorda
Examiner Name	Jennifer Kolb Michener
Art Unit	1762
Attorney Docket No.	50623.41

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number

07-1850

Deposit  
Account  
Name

Squire, Sanders & Dempsey L.L.P.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1)

(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent Claims	3	-3 **	= 0	X	200	
Multiple Dependent				X		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	1590
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Utility Examination Fee	

Other fee (specify) Utility Search Fee

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1590.00

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Charles E. Runyan, Jr. Ph.D.	Registration No. (Attorney/Agent)	43,066	Telephone	(415) 954-0200
Signature		Date	December 23, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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